

Honorable Timothy Kennedy  
New York Senate  
Legislative Office Building, Room 506  
Albany, NY 12247

February 11, 2013

Dear Senator Kennedy,

In a recent press release you expressed concern regarding the DOT funding error that has impacted projects in Buffalo. Residents of Prospect Hill historic district are deeply concerned that in haste to secure DOT funds before March 31, 2013, monies will be allocated to the building of new ramps and access roads at the Peace Bridge without full disclosure to the public.

Residents **do not want** the DOT or the Public Bridge Authority (PBA) to dictate what our community needs especially when it will have an adverse impact upon public health, historic resources and the environment. The PBA's position that redesigning Thruway ramps and overpasses will help streamline traffic flow and relieve traffic congestion is an unproven theory which requires further study before the DOT can act. It further demonstrates that the DOT and the PBA have become partners in the capacity expansion project which has never been disclosed to residents or the general public.

As an elected official and member of the NYS Senate Transportation Committee we trust that you will not pursue or secure any funding for road projects related to the Peace Bridge without demanding the DOT and the PBA provide complete transparency by fully disclosing the building plans and the following:

- Immediate implementation and completion of a full environmental impact study as required by NEPA & SEQRA.
- Public hearings to review the proposed plans and the DEIS.
- A public comment period.
- DOT Compliance with transportation laws that evaluate adverse impact upon historic resources.
- Full public disclosure of the PBA's plans including ramps, access roads, overpasses, increased inspection capacity, Duty Free Store, Customs building and/or relocation of any plaza operations.
- Comprehensive review of all asthma studies and air pollution reports including the peer reviewed studies conducted by Mukasa and Spengler which demonstrate how air toxins at the Peace Bridge crossing cause asthma and other illnesses.

I trust that you will agree that as NYS Senator your first obligation is to protect the health and welfare of west side residents and taxpayers who suffer needlessly from the toxic effects of diesel emission.

In a letter dated May 2, 2011 you acknowledged the importance of listening to the concerns of people in 'this' community with respect to a peace bridge expansion. You believe *"the health and safety of the families in the surrounding [peace bridge] neighborhoods needs to be examined closely not only relating to health and respiratory issues, but also in economic development and historic preservation."*

In 2012, the World Health Organization classified diesel fume as a carcinogen that causes lung cancer. Why would the DOT become party to any project that increases the public's risk to cancer?

Prominent environmental researchers including Dr. Jamson Lwebuga Mukasa reviewed Governor Cuomo's 'White Paper' (review by the NYS DOT/DEC/DOH) on asthma on the West Side and concluded the report was deeply flawed and biased. The 'key finding' is unfounded and profoundly insulting to the lower west side, a neighborhood of environmental justice.

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Is there anyone who believes that 4,000 trucks a day crossing into the community using roadways north and south of the Peace Bridge does not cause illness? Irrefutable studies done around the world conclude that those who live closest to the source of pollution have the highest risk of developing asthma and other associated illnesses. The studies conclude that truck traffic should be eliminated not streamlined and certainly not increased.

In January of this year the Clean Air Coalition of Western New York was awarded an EPA environmental justice grant to study pollution problems in the lower West Side because according to Judith Enck, EPA Regional Administrator “people living on Buffalo’s west side are negatively impacted by air pollution from *heavy commercial traffic*.”

There is only one source of heavy commercial traffic on Buffalo’s West Side; The Peace Plaza and bridge. Allowing the DOT to move forward with plans that would add to this crisis is a direct conflict with the intent of the EPA.

A 2010 research brief by the Institute for Home Land Security *Border Crossing Improvements, Induced Travel and Security*, clearly outlines the dangers (and uselessness) of traffic expediting measures at U.S. Border stations because every border crossing has an equilibrium, and that when you decrease wait times, and induce traffic flow through roadway improvements the end result is always an *increase* in traffic until you’re back to equilibrium – a vicious cycle that produces no long term solution.

In addition to causing a health epidemic crisis, independent studies by the Partnership for Public Good and others have determined that an expanded plaza is unnecessary, provides no direct economic benefit to Buffalo, prevents new business development, adversely impacts surrounding property values and historic resources, blocks public access to the waterfront and erodes the quality of life for residents. It does however according to a recent report by Dan Telvock, Investigative Post for Artvoice, *A Fast Passage or a Fast Buck*, expediently increase PBA revenue.

I hope you carefully consider this information when looking at DOT funding for Buffalo. Please feel free to contact me should you need further information or have any questions.

Thank you for your time and consideration.

Very truly yours,

Kathy Mecca,

On behalf of the Prospect Hill Neighborhood Alliance

763 Columbus Parkway

Buffalo, NY 14213

716.881.5309

[krmecca@yahoo.com](mailto:krmecca@yahoo.com)

Kathleen Mecca, President

Columbus Park Association

Jim Messina, President

Fargo Estate Neighborhood Association

Christine Lovett-Schaus, President

Armory Hill Neighborhood Association

Valerie Vingold, President

Cottage District Neighborhood Association

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CC: NYS Senator Mark Grisanti  
NYS Assemblyman Sean Ryan  
NYS Assemblyman Mickey Kearns  
NYS Assemblywoman Crystal Peoples-Stokes  
Council member Christopher Scanlon  
Council member David Rivera  
Council member Michael LoCurto  
Council member Richard Fontana  
Council member Joseph Golembek  
Council member David Franczyk  
Council member Demone Smith  
Council member Bonnie Russell  
Council member Darius Pridgeon  
Erin Heaney, Clean Air Coalition of WNY  
Sam Magavern, Partnership for Public Good  
Jamson Lwebuga Mukasa, MD